



**FEDERAL ELECTION COMMISSION**

WASHINGTON, D.C. 20463

**JUN 15 2010**

**Tom Bjorklund  
Tactical Data Solutions, Inc.  
1430 E Sherwood Drive  
Grand Junction, CO 81501**

**RE: MUR 6038  
Tactical Data Solutions, Inc.**

**Dear Mr. Bjorklund:**

On July 18, 2010, the Federal Election Commission notified Tactical Data Solutions, Inc. of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). On April 27, 2010, the Commission found, on the basis of the information in the complaint and information provided by you, that there is no reason to believe that Tactical Data Solutions, Inc. violated the Act. Accordingly, on June 4, 2010, the Commission closed its file in this matter.

Documents related to the case will be placed on the public record within 30 days. See Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003). The Factual and Legal Analysis, which explains the Commission's no reason to believe finding, is enclosed for your information.

If you have any questions, please contact Joshua Smith, the attorney assigned to this matter at (202) 694-1624.

Sincerely,

A handwritten signature in black ink, appearing to read "Julie McConnell", is written over the typed name.

**Julie McConnell  
Assistant General Counsel**

**Enclosure  
Factual and Legal Analysis**

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**FEDERAL ELECTION COMMISSION  
FACTUAL AND LEGAL ANALYSIS**

**Respondent: Tactical Data Solutions, Inc. and  
Tom Bjorklund**

**MUR: 6038**

1        This matter arises out of a complaint alleging that Lamborn for Congress ("Lamborn  
2        Committee") coordinated its communications with Club for Growth State Action ("Club for  
3        Growth") and Christian Coalition of Colorado ("Christian Coalition") through flyers attacking  
4        Doug Lamborn's primary opponents during his 2006 campaign for Colorado's 5<sup>th</sup> Congressional  
5        District.

6        The complaint alleges that in 2006, Tactical Data Solutions, Inc. ("TDS"), a political data  
7        firm, collected and sold voter data information for Colorado's 5<sup>th</sup> CD primary election to  
8        (1) Liberty Service Corp. (a/k/a Liberty Media), a sub-vendor owned and operated by Jonathan  
9        Hotaling, Lamborn's campaign manager, which in turn sold the data to Lamborn for Congress;  
10       (2) Blue Point, LLC, a sub-vendor referred to TDS by Jonathan Hotaling, which in turn sold the  
11       data to Club for Growth; and (3) Christian Coalition, run by Mark Hotaling, the brother of  
12       Jonathan Hotaling. The complaint further alleges that Jonathan Hotaling, while serving on the  
13       Board of TDS, instructed a TDS employee to provide the Lamborn Committee voter list data to  
14       Christian Coalition. Additionally, the complaint alleges that Tom Bjorklund, Chief Executive  
15       Officer for TDS, was involved in providing the Lamborn Committee voter data to Christian  
16       Coalition and Club for Growth. TDS denies these allegations, claiming that it sold the data to  
17       each of these entities at fair market value, and it has done business with Christian Coalition and  
18       Club for Growth in the past.

19       However, even if the allegations are true, the actions by vendor TDS and its Chief  
20       Executive Officer, Tom Bjorklund, do not appear to result in a violation under the Federal

**MUR 6038  
Factual and Legal Analysis  
Tactical Data Solutions, Inc.**

**Election Campaign Act of 1971, as amended ("Act"). Therefore, the Commission finds no  
reason to believe that Tactical Data Solutions, Inc. and Tom Bjorklund violated the Act.**

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